



Related MLN Matters Article #: MM3628

Date Posted: February 15, 2005

Related CR #: 3628

MMA - Revisions to Payment for Services Provided Under a Contractual Arrangement

Key Words

MMA, Arrangement, MM3628, CR3628, R472CP, Integrity, Safeguards, CMS-1429-F

Provider Types Affected

Physicians, providers, and suppliers billing Medicare carriers provided under a contractual arrangement

Key Points

- The effective date of the instruction is January 1, 2005.
- The implementation date is March 15, 2005.
- CR3628 and MM3628 revise the language in the Centers for Medicare & Medicaid (CMS) Manual System on payment for services provided under a contractual arrangement.
- Instead of stating that the contractual arrangement between an entity and the other physician or provider should include pertinent Medicare program integrity safeguards, CMS is now stating that the entity and the physician or other person are subject to those program integrity safeguards.
- The entity receiving payment and the physician or other person that furnished the service are both subject to the following program integrity safeguard requirements:
 - Entity receiving payment and the person that furnished the service are jointly and severally responsible for any Medicare overpayment to that entity; and
 - Person furnishing the services has unrestricted access to claims submitted by an entity for services provided by that person.
- The entity billing and receiving payment and the person reassigning his or her billing and payment rights are both responsible for compliance with the Medicare program integrity safeguards beginning on January 1, 2005 (the effective date of CMS-1429-F).
- Medicare carrier may make payment to an entity (i.e., a person, group, or facility enrolled in the Medicare program) that submits a claim for services provided by a physician or other person under a contractual arrangement with that entity, regardless of where the service is furnished.

Important Links

<http://www.cms.hhs.gov/MLNMattersArticles/downloads/MM3628.pdf>

<http://www.cms.hhs.gov/transmittals/downloads/R472CP.pdf>